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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,938	07/07/2006	Fabrizio Donazzi	09875.0360	8289
22852	7590	02/18/2009		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER NGUYEN, CHAU N	
			ART UNIT 2831	PAPER NUMBER
			MAIL DATE 02/18/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/565,938

Applicant(s)

DONAZZI ET AL.

Examiner

Chau N. Nguyen

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 43-46, 48, 49, 51, 53-58 and 62-84 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 43-46, 48, 49, 53, 54, 57, 66, 68/43, 69/43, 70/43, 73-78, 82-84 is/are rejected.
- 7) ☒ Claim(s) 51, 55, 56, 58, 62-65, 67, 68/67, 69/67, 70/67, 71, 79-81 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 11/20&12/08/08
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 43, 45, 46, 48, 49, 53, 54, 57, 66, 73-77, 82 and 84 are rejected under 35 U.S.C. 102(b) as being anticipated by Sudo et al. (JP 2001-231161).

Sudo et al. (FIGS 2-3) discloses an electrical power transmission line comprising: at least one electrical cable; at least one shielding element comprising a plurality of shielding modules (3) arranged side by side, each shielding module made of at least one ferromagnetic material arranged in a radially outer position with respect to said at least one cable for shielding the magnetic field generated by said cable, each of said plurality of shielding modules comprising a base (4) and a cover (5), the base comprising a bottom wall, a pair of side walls, and a pair of flanges (8) extending in a predetermined direction from the end portions of the side walls; and at least one supporting element (7) coupled to at least one of said bases. Sudo et al. also discloses that the electrical power transmission line is placed

underground, the base and the cover are substantially continuous, the bottom wall and the pair of side walls are substantially flat, the side walls extend in a direction substantially perpendicular to the bottom wall, said flanges extend in a direction substantially perpendicular to the end portions of the side walls of the base, said cover is substantially continuous, said base and said cover comprise walls having a thickness of about 0.20 mm to about 0.35 mm, in each of said shielding modules, said base is coupled to a respective supporting element, a supporting element (9) coupled to at least one of said covers, said at least one supporting element is arranged in a radially outer position with respect to said at least one shielding element, said at least one supporting element is arranged in a radially inner position with respect to said at least one shielding element, at least one of said plurality of shielding modules is interposed between a pair of supporting elements, said at least one supporting element is substantially flat, and said shielding element further comprises a plurality of fixing means longitudinally arranged at predetermined distances from each other, said fixing means being intended to fix said covers on said bases. Claim 84 is a method counterpart of claim 43.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 44, 68/43, 69/43, 70/43, 72, 78 and 83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sudo et al.

Sudo et al. discloses the invention substantially as claimed except for the cable comprising a trefoil cable, the ferromagnetic material having a maximum value of relative magnetic permeability of about 20,000 to about 60,000, the

supporting element having a wall thickness of about 1 to about 20 mm, the ferromagnetic material being grain oriented silicon steel or non-grain oriented silicon steel, and the pairs of fixing means being arranged at a reciprocal longitudinal distance of about 20 to about 100 cm.

It would have been obvious to one skilled in the art to use a trefoil cable as the power transmission line in the system of Sudo et al. since trefoil cable is well-known in the art for being used for transmitting power. It would have been obvious to one skilled in the art to use grain oriented silicon steel or non-grain oriented silicon steel for the ferromagnetic material of Sudo et al. since this material is known in the art for being used as ferromagnetic material. It would have been obvious to one skilled in the art to choose suitable magnetic permeability for the ferromagnetic material of Sudo et al., to choose suitable wall thickness for the supporting element, and to choose suitable distance for the pairs of fixing means to meet the specific use of the resulting system since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re Aller*, 105 USPQ 233.

Allowable Subject Matter

6. Claims 51, 55, 56, 58, 62-65, 67, 68/67, 69/67, 70/67, 71, and 79-81 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 43 and 84 have been considered but are moot in view of the new ground(s) of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau N. Nguyen whose telephone number is 571-272-1980. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F.F. Gutiérrez can be reached on 571-272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chau N Nguyen/
Chau N Nguyen
Primary Examiner
Art Unit 2831